

**SENATE JOURNAL
66TH LEGISLATURE
THIRTIETH LEGISLATIVE DAY**

Helena, Montana
February 13, 2019

Senate Chambers
State Capitol

Senate convened at 1:01 p.m. President Sales presiding. Invocation by Senator Hinebaugh. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 2/13/2019

Correctly printed: **SB 8, SB 24, SB 47, SB 142, SB 173, SB 179, SB 192, SB 253, HB 47, HB 79, HB 83, HB 91, HB 108, HB 110, HB 119, HB 136.**

Correctly engrossed: **SB 44, SB 65, SB 127, HB 74, HB 107.**

Transmitted to the House: **SB 9, SB 52, SB 55, SB 73, SB 100, SB 111, SB 137, SB 171, SB 175, SB 196, SJ 4, HB 20, HB 61, HB 63, HB 101, HB 156.**

Signed by the Secretary of the Senate at 4:00 p.m., February 12, 2019: **SB 10, SB 11, SB 16.**

Signed by the President at 10:00 a.m., February 13, 2019: **SB 10, SB 11, SB 16.**

Signed by the Speaker at 4:22 p.m., February 13, 2019: **SB 10, SB 11, SB 16.**

COMMUNICATIONS AND PETITIONS

Senator Osmundson read a proclamation signed by the President and the Speaker congratulating the Montana Farm Bureau Federation on its centennial celebration.

REPORTS OF STANDING COMMITTEES

ENERGY AND TELECOMMUNICATIONS (Ankney, Chair):

2/12/2019

SB 93, introduced bill, be amended as follows:

1. Page 4, line 1.

Insert: "(b) the owner furnishes documents to the department that prove the owner is responsible under the terms and conditions of a lease agreement to provide private bonding. The parties shall agree that release of the agreed upon bond is subject to the approval of the department upon completion of reclamation."

Renumber: subsequent subsections

And, as amended, do pass.

SB 191, do pass.

SJ 6, be adopted.

SJ 7, be adopted.

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FINANCE AND CLAIMS (Osmundson, Chair):
SB 60, introduced bill, be amended as follows:

2/12/2019

1. Title, page 1, line 10 through line 11.

Strike: "PROVIDING FOR" on line 10 through "FUNDS;" on line 11

2. Title, page 1, line 13.

Following: "20-26-605,"

Insert: "AND 23-7-402,"

3. Title, page 1, line 14.

Strike: "AN EFFECTIVE DATE"

Insert: "EFFECTIVE DATES AND A TERMINATION DATE"

4. Page 8, line 28.

Following: "(a)"

Strike: "the first \$2 million"

Insert: "(i) The first \$500,000"

Strike: "each"

Following: "fiscal year"

Insert: "2020"

Following: "transferred"

Insert: "quarterly in equal payments of \$125,000"

5. Page 8, line 30.

Strike: "(b)"

Insert: "(ii)"

Strike: "\$2 million"

Insert: "\$500,000"

Strike: "each"

Following: "fiscal year"

Insert: "2020"

6. Page 8, following line 30.

Insert: "(b) (i) The first \$1 million of net revenue in fiscal year 2021 must be transferred quarterly in equal payments of \$250,000 to the Montana STEM scholarship program special revenue account established in 20-26-617; and

(ii) net revenue in excess of \$1 million in fiscal year 2021 must be transferred to the state general fund.

(c) (i) The first \$1.5 million of net revenue in fiscal year 2022 must be transferred quarterly in equal payments of \$375,000 to the Montana STEM scholarship program special revenue account established in 20-26-617; and

(ii) net revenue in excess of \$1.5 million in fiscal year 2022 must be transferred to the state general fund.

(d) (i) The first \$2 million of net revenue in fiscal year 2023 must be transferred quarterly

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in equal payments of \$500,000 to the Montana STEM scholarship program special revenue account established in 20-26-617; and

(ii) net revenue in excess of \$2 million in fiscal year 2023 must be transferred to the state general fund.

(e) (i) The first \$2.25 million of net revenue in fiscal year 2024 and subsequent fiscal years must be transferred quarterly in equal payments of \$562,500 to the Montana STEM scholarship program special revenue account established in 20-26-617; and

(ii) net revenue in excess of \$2.25 million in fiscal year 2024 and subsequent fiscal years must be transferred to the state general fund."

7. Page 9, line 19.

Following: "(a)"

Strike: "the first \$2 million"

Insert: "(i) The first \$500,000"

Strike: "each"

Following: "fiscal year"

Insert: "2020"

Following: "transferred"

Insert: "quarterly in equal payments of \$125,000"

8. Page 9, line 21.

Strike: "(b)"

Insert: "(ii)"

Strike: "\$2 million"

Insert: "\$500,000"

Strike: "each"

Following: "fiscal year"

Insert: "2020"

9. Page 9, following line 21.

Insert: "(b) (i) The first \$1 million of net revenue in fiscal year 2021 must be transferred quarterly in equal payments of \$250,000 to the Montana STEM scholarship program special revenue account established in 20-26-617; and

(ii) net revenue in excess of \$1 million in fiscal year 2021 must be transferred to the state general fund.

(c) (i) The first \$1.5 million of net revenue in fiscal year 2022 must be transferred quarterly in equal payments of \$375,000 to the Montana STEM scholarship program special revenue account established in 20-26-617; and

(ii) net revenue in excess of \$1.5 million in fiscal year 2022 must be transferred to the state general fund.

(d) (i) The first \$2 million of net revenue in fiscal year 2023 must be transferred quarterly in equal payments of \$500,000 to the Montana STEM scholarship program special revenue account established in 20-26-617; and

(ii) net revenue in excess of \$2 million in fiscal year 2023 must be transferred to the state general fund.

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(e) (i) The first \$2.25 million of net revenue in fiscal year 2024 and subsequent fiscal years must be transferred quarterly in equal payments of \$562,500 to the Montana STEM scholarship program special revenue account established in 20-26-617; and

(ii) net revenue in excess of \$2.25 million in fiscal year 2024 and subsequent fiscal years must be transferred to the state general fund.

10. Page 9

Following: line 23

Insert: "Section 16. Section 23-7-402, MCA, is amended to read:

~~"23-7-402. (Temporary) Disposition of revenue. (1) A minimum of 45% of the money paid for tickets or chances must be paid out as prize money. The prize money is statutorily appropriated, as provided in 17-7-502, to the lottery.~~

~~——— (2) Commissions paid to lottery ticket or chance sales agents are not a state lottery operating expense.~~

~~——— (3) Lottery contractor fees, which are fees paid to contracted lottery vendors based on sales, must be paid from the state lottery enterprise fund. The money to pay lottery contractor fees is statutorily appropriated, as provided in 17-7-502, to the lottery.~~

~~——— (4) (a) Except as provided in subsection (4)(b), that part of all gross revenue not used for the payment of prizes, commissions, and operating expenses, together with the interest earned on the gross revenue while the gross revenue is in the enterprise fund, is net revenue. Net revenue must be transferred quarterly from the enterprise fund established by 23-7-401 to the state general fund. Once the amount of net revenue transferred to the general fund during a fiscal year equals the amount transferred to the general fund in fiscal year 2015, any additional net revenue must be transferred to the Montana STEM scholarship program special revenue account established in 20-26-617.~~

~~——— (b) For fiscal year 2016, prior to any net revenue being transferred to the general fund from the enterprise fund, \$400,000 of net revenue must be transferred from the enterprise fund to the Montana STEM scholarship special revenue account established in 20-26-617 for the purpose of distributing STEM scholarships pursuant to 20-26-614 through 20-26-617 during the 2015-2016 school year.~~

~~——— (5) The spending authority of the lottery may be increased in accordance with this section upon review and approval of a revised operation plan by the office of budget and program planning. (Terminates June 30, 2019--sec. 3, Ch. 2, L. 2013.)~~

23-7-402. (Effective July 1, 2019 2023) Disposition of revenue. (1) A minimum of 45% of the money paid for tickets or chances must be paid out as prize money. The prize money is statutorily appropriated, as provided in 17-7-502, to the lottery.

(2) Commissions paid to lottery ticket or chance sales agents are not a state lottery operating expense.

(3) That part of all gross revenue not used for the payment of prizes, commissions, and operating expenses, together with the interest earned on the gross revenue while the gross revenue is in the enterprise fund, is net revenue. Net revenue must be transferred quarterly from the enterprise fund established by 23-7-401 to the state general fund. Once the amount of net revenue transferred to the general fund during a fiscal year equals the amount transferred to the general fund in fiscal year 2015, any additional net revenue must be transferred to the Montana

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~~STEM scholarship program special revenue account established in 20-26-617~~ in the following order:

(a) the first \$2.25 million of net revenue in each fiscal year must be transferred quarterly in equal payments of \$562,500 to the Montana STEM scholarship program special revenue account established in 20-26-617; and

(b) net revenue in excess of \$2.25 million in each fiscal year must be transferred to the state general fund.

(4) The spending authority of the lottery may be increased in accordance with this section upon review and approval of a revised operation plan by the office of budget and program planning.""

Renumber: subsequent sections

11. Page 10, line 6 through line 11.

Strike: section 17 in its entirety

Renumber: subsequent sections

12. Page 10, line 16.

Strike: "[This act]"

Insert: "Except as provided in subsection (2), [this act]"

13. Page 10

Following: line 16

Insert: "(2) [Section 16] is effective July 1, 2023."

Insert: "NEW SECTION. **Section 20. Termination.** [Section 15] terminates June 30, 2023."

And, as amended, do pass.

FISH AND GAME (Fielder, Chair):

2/12/2019

SB 44, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "COMBINATION"

2. Title, page 1, line 9.

Following: "87-2-711,"

Insert: "87-2-801,"

Following: "87-2-803,"

Insert: "87-2-805,"

3. Page 11.

Following: line 15

Insert: "**Section 15.** Section 87-2-801, MCA, is amended to read:

"87-2-801. Licenses for residents over 62 years of age. A resident, as defined in 87-2-102, who is 62 years of age or older may purchase the following for one-half the cost:

(1) a wildlife conservation license;

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~~(1)~~(2) a Class A fishing license;
~~(2)~~(3) a Class A-1 upland game bird license;
~~(3)~~(4) a Class A-3 deer A tag;
~~(4)~~(5) a Class A-5 elk tag;
~~(5)~~(6) a Class AAA combination sports license that does not include a Class A-6 black bear tag.""

Renumber: subsequent sections

4. Page 13.

Following: line 26

Insert: "Section 17. Section 87-2-805, MCA, is amended to read:

"87-2-805. Licenses for persons under 18 years of age. (1) Resident and nonresident minors under 12 years of age may fish without a license.

(2) Resident minors who are 12 years of age or older and under 18 years of age may purchase the following for one-half the cost:

(a) a wildlife conservation license;

~~(a)~~(b) a Class A fishing license;

~~(b)~~(c) a Class A-1 upland game bird license;

~~(c)~~(d) a migratory game bird license;

~~(d)~~(e) a Class A-3 deer A tag;

~~(e)~~(f) a Class A-5 elk tag;

~~(f)~~(g) a Class AAA combination sports license that does not include a Class A-6 black bear tag. This subsection ~~(2)~~(f) (2)(g) does not prohibit a resident minor from purchasing any individual licenses for which the minor may be eligible under this chapter if the minor does not purchase a Class AAA license under this subsection ~~(2)~~(f) (2)(g). A resident minor who lawfully purchases a Class AAA license pursuant to this subsection ~~(2)~~(f) (2)(g) at 17 years of age, but who reaches 18 years of age during that license year, may legally use the license during that license year.

(3) A nonresident minor who is 12 years of age or older and under 18 years of age may purchase an upland game bird license and a migratory game bird license for one-half of the nonresident fee. Of the fee paid for the upland game bird license, \$17 must be deposited pursuant to 87-1-270 and \$7 must be deposited pursuant to 87-1-246.

(4) (a) The department may issue a free resident or nonresident big game combination license, as applicable, or a free resident or nonresident antelope license and wildlife conservation license, as applicable, to a resident or nonresident youth under 18 years of age who has been diagnosed with a life-threatening illness. In order for a youth to qualify for the free license, the department must receive documentation that the youth has been diagnosed with a life-threatening illness from a licensed physician. The free license may be issued to a youth on a one-time basis for only one hunting season. As used in this subsection, "life-threatening illness" means any progressive, degenerative, or malignant disease or condition that results in a significant threat, likelihood, or certainty that the child's life expectancy will not extend past the child's 19th birthday unless the course of the disease is interrupted or abated.

(b) In exercising hunting privileges, the youth must be accompanied by an adult in possession of a valid Montana hunting license or of a licensed Montana outfitter and conduct all hunting within the terms and conditions of the license issued.

(c) The department may waive hunter safety and education and bowhunter education

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requirements in 87-2-105 for a qualified youth under this subsection (4) and, in appropriate circumstances, may also allow the qualified youth to hunt from a vehicle in the manner described in 87-2-803.

(d) The department may limit the number of licenses issued pursuant to this subsection (4) to a total of 25 annually.

(5) Prior to reaching 12 years of age, a minor who will reach 12 years of age by January 16 of a license year may hunt any game species after August 15 of that license year as long as the minor obtains the necessary license pursuant to this chapter.""

Renumber: subsequent sections

And, as amended, do pass.

SB 127, introduced bill, be amended as follows:

1. Page 1, line 30 through page 2, line 1.

Strike: ", employed" on page 1, line 30 through "hunter" on page 2, line 1

And, as amended, do pass.

SB 167, do pass.

SB 174, do pass.

HB 43, be concurred in.

HB 143, be concurred in.

HIGHWAYS AND TRANSPORTATION (Vance, Chair):

2/12/2019

SB 158, do pass.

JUDICIARY (Regier, Chair):

2/13/2019

SB 205, do pass.

TAXATION (Webb, Chair):

2/13/2019

HB 200, be concurred in.

HB 201, be amended as follows:

1. Page 2, line 24.

Following: "August 15"

Insert: "and not more than 60 days prior to purchasing the assignment"

2. Page 3, line 10.

Strike: line 10 in their entirety

And, as amended, be concurred in.

Without objection, committee reports were adopted.

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MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

2/12/2019

HB 93, introduced by D. Skees

HB 146, introduced by K. Holmlund

HB 274, introduced by F. Garner

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 254, introduced by D. Sands, referred to Judiciary.

SB 255, introduced by E. McClafferty, S. Malek, S. Webber, referred to Judiciary.

SB 256, introduced by J. Ellsworth, referred to Fish and Game.

SB 257, introduced by M. Cuffe, referred to Natural Resources.

The following Senate bills, previously introduced, were referred to committees:

SB 244, introduced by M. Blasdel, referred to Energy and Telecommunications.

SB 245, introduced by M. McNally, B. Bennett, C. Boland, D. Barrett, J. Cohenour, J. Ellis, P. Flowers, M. Hopkins, J. Keane, K. Kelker, E. Kerr-Carpenter, M. MacDonald, J. Pomnichowski, J. Sesso, J. Small, referred to Energy and Telecommunications.

SB 246, introduced by M. MacDonald, referred to State Administration.

SB 247, introduced by J. Cohenour, referred to Fish and Game.

SB 248, introduced by J. Cohenour, referred to Highways and Transportation.

SB 249, introduced by S. Fitzpatrick, referred to Highways and Transportation.

SB 250, introduced by S. Fitzpatrick, referred to Natural Resources.

SB 251, introduced by G. Vance, referred to Highways and Transportation.

SB 252, introduced by D. Ankney, referred to Natural Resources.

The following House bills were introduced, read first time, and referred to committees:

HB 93, introduced by D. Skees (by request of the Energy and Telecommunications Interim Committee), referred to Energy and Telecommunications.

HB 146, introduced by K. Holmlund, D. Bartel, E. Buttrey, A. Doane, R. Fitzgerald, W. Galt, F. Garner, B. Grubbs, J. Kassmier, C. Knudsen, D. Loge, D. Mortensen, J. Read, V. Ricci, D. Zolnikov, Skees, Bedey, referred to Judiciary.

HB 274, introduced by F. Garner, referred to Judiciary.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator MacDonald in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 165 - Majority Leader Thomas moved consideration of **SB 165** be passed for the day. Without objection, so ordered.

HB 66 - Majority Leader Thomas moved consideration of **HB 66** be passed for the day. Without objection, so ordered.

SJ 1 - Conference Committee Report No. 1 - Majority Leader Thomas moved the Conference Committee report to **SJ 1** be adopted. Motion carried as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn.
Total 30

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.
Total 20

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 148 - Senator Bennett moved **SB 148** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Brown, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber, Welborn.
Total 34

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Nays: Blasdel, Cuffe, Ellsworth, Esp, Fielder, Hinebauch, Kary, Keenan, Lang, Mr President, Olszewski, Regier, Smith C, Thomas, Vance, Webb.
Total 16

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 84 - Senator Fitzpatrick moved **SB 84** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.
Total 49

Nays: Vance.
Total 1

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 108 - Senator Sesso moved **SB 108** do pass.

SB 108 - Senator Sesso moved **SB 108**, second reading copy, be amended as follows:

1. Page 2, line 1.
Strike: "\$30,000"
Insert: "\$40,000"

2. Page 2, line 4.
Strike: "THE NEWLY ADJUSTED LIMITS MUST BE PUBLISHED BY RULE."
Following: "2019."
Insert: "The newly adjusted limits must be rounded to the nearest \$1,000 amount and

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published by rule."

3. Page 5, line 9.

Strike: "THE NEWLY ADJUSTED LIMITS MUST BE PUBLISHED BY RULE."

Following: "2019."

Insert: "The newly adjusted limits must be rounded to the nearest \$1,000 amount and published by rule."

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 108 - As amended **SB 108**, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webber, Welborn.

Total 44

Nays: Hinebauch, Kary, Mr President, Olszewski, Vance, Webb.

Total 6

Paired: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 103 - Senator Gross moved **HB 103** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 104 - Senator Lang moved **HB 104** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 49

Nays: Smith F.

Total 1

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 152 - Senator Barrett moved **SB 152** do pass. Motion carried as follows:

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Yeas: Barrett, Bennett, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vuckovich, Webber.
Total 27

Nays: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Gillespie, Hinebauch, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Smith C, Tempel, Vance, Webb, Welborn.
Total 23

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 21 - Senator Hoven moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 21**. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.
Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 22 - Senator Hoven moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 22**. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven,

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Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SR 23 - Senator Welborn moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 23**. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber, Welborn.

Total 42

Nays: Brown, Hinebauch, Howard, Osmundson, Smith C, Thomas, Vance, Webb.

Total 8

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SR 25 - Senator Welborn moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 25**. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vance,

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Vuckovich, Webb, Webber, Welborn.

Total 42

Nays: Blasdel, Esp, Kary, Keenan, Mr President, Regier, Smith C, Thomas.

Total 8

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Senator MacDonald moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 8 passed as follows:

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Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Welborn.

Total 32

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Webber.

Total 18

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 47 passed as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Cuffe, Ellis, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith F, Vuckovich, Webber, Welborn.

Total 28

Nays: Blasdel, Bogner, Brown, Ellsworth, Esp, Fielder, Fitzpatrick, Hinebauch, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Salomon, Smith C, Tempel, Thomas, Vance, Webb.

Total 22

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 160 passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber, Welborn.

Total 35

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Nays: Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Smith C, Thomas, Vance, Webb.
Total 15

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 179 passed as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Smith F, Thomas, Vance, Vuckovich, Webb, Welborn.
Total 30

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gauthier, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Tempel, Webber.
Total 20

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

The final vote reflects a change of vote by Senator McNally made under Order of Business 9, Motions.

SB 192 passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Tempel, Thomas, Vance, Webb, Webber, Welborn.
Total 45

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Nays: Brown, Howard, Mr President, Smith F, Vuckovich.

Total 5

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 47 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 46

Nays: Brown, Ellsworth, Smith C, Vance.

Total 4

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 79 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 83 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 119 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SJ 1 passed as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn.

Total 30

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.

Total 20

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

The final vote reflects a change of vote by Senator McClafferty made under Order of Business 9, Motions.

MOTIONS

Senator McNally moved to change her third-reading vote on **SB 179** from Yes to No. Without objection, so ordered.

Senator McClafferty moved to change her third-reading vote on **SJ 1** from Yes to No. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Thursday, February 14, 2019, the thirty-first legislative day. Motion carried.

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Senate adjourned at 2:12 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate